

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL BURTON	:	CIVIL ACTION
	:	
v.	:	NO. 05-4872
	:	
GERALD ROZUM, THE DISTRICT	:	
ATTORNEY OF THE COUNTY OF	:	
PHILADELPHIA, THE ATTORNEY	:	
GENERAL OF THE STATE OF	:	
PENNSYLVANIA	:	

ORDER

AND NOW, this 30th day of October 2024, upon considering petitioner's motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b)(2) & 60(b)(6) (DI 23), respondents' opposition (DI 32), petitioner's motion for appointment of counsel (DI 30), petitioner's motion for discovery (DI 31), petitioner's motion to stay (DI 33), and for reasons in the accompanying memorandum, it is **ORDERED**:

1. Petitioner's motion for relief from judgment (DI 23) is **DENIED** and **DISMISSED** for lack of jurisdiction without prejudice to his right to file with the United States Court of Appeals for the Third Circuit an application to file a second or successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A).

2. Petitioner's motion for appointment of counsel (DI 30) is **DENIED as moot**.

3. Petitioner's motion for discovery (DI 31) is **DENIED as moot**.

4. Petitioner's motion to stay (DI 33) is **DENIED as moot**.

5. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) because reasonable jurists would not debate the propriety of this ruling. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

6. The Clerk of Court shall **close** this case.


MURPHY, J.